MEARES and CHMURA Application No.: 09/671,953 Page 2

RECEIV

MAR - 4 2002 TECH CENTER 1600/2900

Claims 4-9, 12-13, and 26-29 are canceled.

II. Restriction of the Invention.

The Office Action of 12/10/01 restricts the present invention into three Groups, I through III. Group I requiring searching within class 530 (containing claims 1-3, 10-11, 14-25, and 30-38), Group II requiring searching within class 536 (containing claims 4-9, 12-13, and 26-29), and Group III requiring searching within class 424 (containing claims 39-41). The Examiner argues that the compounds and methods are distinct and have acquired separate status in the art as shown by their different classification.

Applicants assert that the claims are drawn to composition and methods that emerge from a common idea or inventive concept and, thus, there is unity of invention. Without acceding to the Examiner's position on the unity of invention, and solely to expedite prosecution, Applicants have elected the claims of Group I with traverse.

Applicants respectfully remind the Examiner that, should the product claims subsequently be found allowable, withdrawn product claims which depend from or otherwise include all the limitations of the allowable product claim will be rejoined. MPEP § 821.04.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

Jeffry S. Mann Reg. No. 42,837

TOWNSEND and TOWNSEND and CREW LLP

Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834

Tel: (415) 576-0200 Fax: (415) 576-0300

JSM:kad